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April 19, 2002

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Commissioner for Patents  
Washington, D.C. 20231

**Art Unit: 1635**

Re: U.S. Utility Patent Application  
Appl. No. 09/580,463; Filed: May 26, 2000  
For: **Cytospectin Dimers and Methods of Use Thereof**  
Inventor: WHEELER, Carl J.  
Our Ref: 1530.0220001

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APR 22 2002

TECH CENTER 1600/2900

Sir:

Transmitted herewith for appropriate action are the following documents:

1. Reply To Restriction Requirement and Election of Species; and
2. Return postcard

It is respectfully requested that the attached postcard be stamped with the date of filing of these documents, and that it be returned to our courier. In the event that extensions of time are necessary to prevent abandonment of this patent application, then such extensions of time are hereby petitioned.

The U.S. Patent and Trademark Office is hereby authorized to charge any fee deficiency, or credit any overpayment, to our Deposit Account No. 19-0036.

Respectfully submitted,

STERNE, KESSLER, GOLDSTEIN & FOX P.L.L.C.

*Matthew J. Dowd*

Matthew J. Dowd  
Agent for Applicant  
Registration No. 47,534

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ELECTION

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

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In re application of:

WHEELER, Carl J.

Appl. No. 09/580,463

Filed: May 26, 2000

For: **Cytofectin Dimers and Methods of Use Thereof**

Confirmation No. 2067

Art Unit: 1635

Examiner: Schnizer, R.A.

Atty. Docket: 1530.0220001

**Reply To Restriction Requirement  
and Election of Species**

Commissioner for Patents  
Washington, D.C. 20231

Sir:

In reply to the Office Action dated March 19, 2002, requesting an election of one invention to prosecute in the above-referenced patent application, Applicant hereby provisionally elects to prosecute the invention of Group I, represented by claims 47-94. This election is made without prejudice to or disclaimer of the other claims or inventions disclosed.

This election is made **without** traverse.

Reconsideration and withdrawal of the Restriction Requirement, and consideration and allowance of all pending claims, are respectfully requested.

In response to the requirement for Election of Species, Applicant hereby provisionally elects the species wherein R<sub>9</sub> comprises -NR<sub>12</sub>-C(O)-NR<sub>13</sub>-R<sub>16</sub>-NR<sub>14</sub>-C(O)-NR<sub>15</sub>. Claims 1, 2, 68-70, 74-86, 93, and 94 read on such species. This election is made without prejudice to or disclaimer of the other claims or inventions disclosed.

Applicant asserts the right to claim additional species in the event that a generic claim thereto is found to be allowable in accordance with 37 C.F.R. § 1.141(a). This election is made **without traverse**. Consideration and allowance of all pending claims are respectfully requested.

***Other Matters***

As discussed with the Examiner on April 8, 2002, Applicant respectfully requests that all further correspondence in the present matter be directed to the undersigned. On August 11, 2000, Robert H. Zaugg, representative of the Assignee, executed a Revocation of Prior Power of Attorney, Appointment of New Attorneys of Record, and Change of Correspondence Address ("Revocation"). The Revocation appointed new attorneys, including the undersigned, and requested that all correspondence be sent to the undersigned's address. On August 17, 2001, the undersigned filed the Revocation in the U.S. Patent and Trademark Office. Applicant respectfully directs the Examiner's attention to a copy of the Revocation, along with a stamped return postcard, attached herewith.

The undersigned has also filed in the PTO several items for the present matter. The following items have been filed: 1) Supplemental Declaration for Patent Application, filed August 23, 2000; 2) Information Disclosure Statement, filed August 25, 2000; 3) First Supplemental Information Disclosure Statement, filed September 25, 2000; 4) Corrected Assignment, filed October 11, 2000; 5) Second Supplemental Information Disclosure Statement, filed November 29, 2000; and 6) Third Supplemental Information Disclosure Statement, filed August 9, 2001. Applicant kindly requests that

the Examiner acknowledge that each of the aforementioned items has been received and considered by the Office.

It is not believed that extensions of time are required, beyond those that may otherwise be provided for in accompanying documents. However, if additional extensions of time are necessary to prevent abandonment of this application, then such extensions of time are hereby petitioned under 37 C.F.R. § 1.136(a), and any fees required therefor are hereby authorized to be charged to our Deposit Account No. 19-0036.

Respectfully submitted,

STERNE, KESSLER, GOLDSTEIN & FOX P.L.L.C.



Matthew J. Dowd  
Agent for Applicant  
Registration No. 47,534

Date: April 19, 2022

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